

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.23284 of 2019

1. Dhruv Prasad Rastogi, son of Sarvdev Prasad Rastogi, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
2. Shiv Nath Thakur, son of Udho Thakur, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
3. Govinda Kumar, son of Tribhuwan Prasad Rastogi, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
4. Md. Muslim, son of Shekh Mahmad Jaan, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
5. Mithilesh Devi, wife of Laxman Singh, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
6. Prabhu Sah, son of Binda Sah, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar, through the Principal Secretary, Co-operative Department Government of Bihar, Patna.
2. The Additiond Chief Secretary Cum Principal Secretary, Department of Co-operative, Bihar Patna.
3. The Registrar, Co-operative Society, Bihar Patna.
4. The Deputy Registrar, Co-operative Society, Bihar, Patna.
5. The Bihar State Election Authority through its Joint Secretary, Patna.
6. The District Co-operative Officer, East Champaran at Motihari.
7. The Assistant Registrar Co-operative Society, Muzaffarpur, Bihar.
8. Shri Kameshwar Singh, Chairman Primary Agricultural Credit Society, Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
9. Smt. Chanda Devi, Wife of Kamlesh Prasad Singh, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
10. Soni Rastogi, wife of Shri Jay Prakash Rastogi, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
11. Upendra Singh, son of Late Bhikhu Singh, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
12. Md. Nurain, son of Shekh Sahadat, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
13. Achhe Lal Sah, son of Late Chaudhur Sah, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
14. Md. Gyasudin, son of Late Shekh Iderish, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
15. Radhika Devi, wife of Dhanai Ram, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.



16. Rup Lal Bhagat, son of Indradeo Bhagat, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.
17. Prabhu Paswan, son of Late Saral Paswan, Resident of village- Shankar Saraiya, Police Station- Turkaulia, District- East Champaran.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar No 7 with Mr. Neeraj Kumar Singh and Mr. Chandrashekhar Kumar Singh, Advocates
For the State	:	Mr. Uday Shankar Saran Singh, GP 19
For the Election Authority	:	Mr. Mukesh Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 26-11-2019

Heard learned counsel for the petitioners; learned GP 19 for the State and learned counsel for the Bihar State Election Authority.

2. The petitioners have moved the Court for the following reliefs:

“ (i) For direction to the respondent authorities to include the name of petitioners Primary Agricultural Credit Society in the voter list of Shankar Saraiya, Police Station-Turkaulia, District East Champaran.

(ii) For direction to the Respondent Anchorites to delete the name of 25 persons whose name has been included in the voter list of Shanar Saraiya without following the due process as required under the law.

(iii) For direction to the respondent authorities to conduct the ongoing Election on the basis of fresh/Modified voter list.

(iv) For any other relief/reliefs for which the petitioners are found entitled in the facts and circumstances of the case.”



3. Learned counsel for the State brought to the notice of the Court order dated 18.11.2019 passed in CWJC No. 22149 of 2019 by which a Division Bench of this Court has refused to entertain similar plea by Gajendra Singh (petitioner of the aforesaid writ petition). The writ petition was disposed off giving liberty to the petitioner to raise all issues before the concerned authorities, in accordance with law. The Division Bench has also relied upon similar order dated 10.08.2009 passed in LPA No. 1028 of 2009.

4. It is not in dispute that the election has been notified on 31st October, 2019.

5. Faced with the situation, learned counsel for the petitioners submitted that the matter be disposed off in terms of the liberty given by the Division Bench in CWJC No. 22149 of 2019.

6. In view thereof, the writ petition stands disposed off with liberty aforesaid.

(Ahsanuddin Amanullah, J)

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